



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

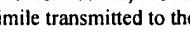
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Application No.: 10/025,184 Group: 1617

Filed: December 19, 2001 Examiner: McMillian, Kara Renita

Confirmation No.: 8481

For: PHARMACEUTICAL COMPOSITION FOR TREATING  
HYPERCHOLESTEROLEMIA (as amended)

<b>CERTIFICATE OF MAILING OR TRANSMISSION</b>	
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## **INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
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Sir:

This Information Disclosure Statement is submitted:

- under 37 CFR 1.97(b), or  
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits; or before the mailing of a first office action after the filing of a Request for Continued Examination).

under 37 CFR 1.97(c) together with either:  
 a Statement under 37 CFR 1.97(e), as checked below, or  
 a \$180.00 fee under 37 CFR 1.17(p), or  
(After the 37 CFR 1.97(b) time period, but before any of a final action, notice of allowance, or an action that closes prosecution, whichever occurs first)

under 37 CFR 1.97(d) together with:  
 a Statement under 37 CFR 1.97(e), as checked below, and  
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under 37 CFR 1.97(i):  
Applicant requests that the IDS and cited reference(s) be placed in the application file.  
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

## Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

*Applies to original applications (other than design) filed on or after May 29, 2000*

- Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- Enclosed herewith is a Listing of References:
  - Copies of the cited references are enclosed except as indicated below.
  - Copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
  - Copies of the cited references submitted with an Information Disclosure Statement in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed, are not required under 37 CFR 1.98(d)(1) and (2) and are thus not provided.
  - Pending non-published applications are not being provided, since the applications are available to the examiner.
- The listed references were cited in the enclosed Search Report in counterpart foreign application [add application number], which is listed in the attached Statement Regarding Other Applications.
- The “concise explanation” requirement (non-English references) for reference(s) [ ] under 37 CFR 1.98(a)(3) is satisfied by:
  - the explanation provided on the attached sheet.
  - the explanation provided in the Specification.
  - submission of the enclosed International Search Report.
  - submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
  - the enclosed English language abstract.

## Method of payment:

- A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply.
- Please charge Deposit Account 08-0380 in the amount of \$[ ].
- Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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Dated:

*May 18, 2009*